

BY THE

# Governor of the State of Texas

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**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

WHEREAS, The Forty-first Legislature, at its Fifth Called Session passed House Bill Number 111, being " AN ACT amending Section 17 Article 7065n Subdivision 3 House Bill Number 6, Chapter 88 Second Called Session, 41st Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due; and declaring an emergency"; and

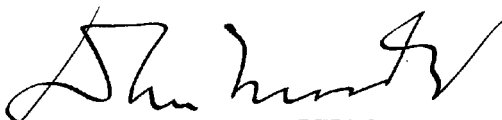
WHEREAS, said bill has been vetoed for the reasons set out in the following statement, which has been filed with said bill in the office of the Secretary of State:

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The attached bill, House Bill Number 111, being " AN ACT amending Section 17 Article 7065n Subdivision 3 House Bill Number 6, Chapter 88 Second Called Session, 41st Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due; and declaring an emergency", is hereby vetoed.

It was doubtless the purpose and intention of the author of this bill to amend Subdivision 3 of Article 7065n of Section 17, of Chapter 88, of the Acts of the Second Called Session of the Forty-first Legislature. It is apparent that his purpose was to further liberalize the statute with reference to the re-payment of taxes collected on gasoline which was sold for non-taxable uses. From reading the bill one would infer that some mistake was made in the copying of the bill by the typist at some point in its travels through the Legislature. As written the bill amends " Section 17, Article 7065n, Subdivision 3 of House Bill Number 6, Chapter 88, passed at the Second Called Session of the Forty-first Legislature," so as to hereafter read as follows:

" Section 17, Subdivision 3 \* \* \* \* ". The results of this bill in its present form is to eliminate all of the language now contained in Subdivision 3 of Section 17 of Chapter 88 of the Acts of the Second Called Session of the Forty-first Legislature except the language contained in this bill. It would completely omit the body of Articles 7065a, 7065b, 7065c, 7065d, 7065e, 7065f, 7065g, 7065h, 7065i, 7065j, 7065k, 7065l, and 7065n of this Act. That would mean to completely emasculate the law levying a tax on gasoline for the building and improvement of highways. I am sure that the author of the bill had no such intention, but he only desired to amend Subparagraph 3 of Article 7065n, but the bill as written eliminates practically all of Subdivision 3 of Section 17, when the author was only seeking to amend a further subdivision of Subdivision 3 of Article 17.



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I, DAN MOODY, Governor of the State of Texas, under and by virtue of the authority vested in me by the Constitution and Laws of this State, have vetoed said Bill for the reasons stated and on file, and do hereby proclaim said action to have been taken.



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of State to be impressed hereon at Austin, Texas, this the 26<sup>th</sup> day of March, A. D. 1930.

Dan Moody  
Governor of Texas

BY THE GOVERNOR:

Watt L. Saunders  
Assistant Secretary of State